

No. 11(112)-79-3Lab/10010.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the Management of M/s Elofic Industries, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference Nos. 524 and 550 of 1978

between

SHRI MAHENDER SINGH AND NIRMAL SINGH WORKMEN AND THE MANAGEMENT  
OF M/S ELOFIC INDUSTRIES, MATHURA ROAD, FARIDABAD

Present:

Shri P. K. De, for the workmen.

Shri K. P. Agrawal, for the management.

AWARD

By order No. ID/FD/1-199/78/49276, dated 3rd November, 1978 and ID/FD/198-78/52312, dated 23rd November, 1978, the Governor of Haryana referred the following dispute between the management of M/s. Elofic Industries, Mathura Road, Faridabad and its workmen Shri Mahender Singh and Nirmal Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Mahender Singh and Nirmal Singh was justified and in order? If not, to what relief are they entitled?

On receipt of the order of references, notices were issued to the parties. The parties appeared. The name of the management was described wrongly in the order of reference for which the representative for the workmen obtained five adjournments for moving for amendment of the name of the management. Finally the representative for the workmen made an application that the workmen shall serve a fresh demand notice on the correct name of the respondent. In view of the application of the representative for the workmen, I give my award that at present no dispute exist between the parties as described in the order of reference. Further the workmen shall be entitled to serve a fresh demand notice and thereby raise a fresh dispute describing the management correctly.

Dated the 8th August, 1979.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 777, dated 16th August, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 11(112)-79-3Lab/10113.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the Management of M/s Administrator, Municipality Thanesar.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 102 of 1979

between

SHRI RAJ KUMAR, WORKMAN AND THE MANAGEMENT OF M/S ADMINISTRATOR,  
MUNICIPALITY, THANESAR

Present.

No one for the workman.

No one, for the Management.

## AWARD

By order No. ID/KNL/7-79/18252, dated 3rd May, 1979 the Governor of Haryana referred the following dispute between M/s Administrator, Municipality, Thanesar and its workman Shri Raj Kumar to this Court, for adjudication, in exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Raj Kumar was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties for 27th June, 1979 and in spite of service no one appeared but both the parties reported that the workman has been re-instated according to Haryana Government instructions and no Industrial Dispute remain outstanding. Notice was again issued for 26th July, 1979 and in spite of service no body appeared again. In the circumstances I answer the reference and give my award on the bases of the written communication received from the parties that no industrial dispute is outstanding between the parties.

Dated 9th August, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endorsement, 1982, dated 20th August, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-79-3-Lab/10270.—In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s. Haryana Iron and Steel Rolling Mills, Hissar.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT, HARYANA  
ROHTAK

Reference No. 69 of 1978

between

SHRI BHARAT RAM WORKMAN AND THE MANAGEMENT OF M/S. HARYANA IRON AND  
STEEL ROLLING MILLS, HISSAR

Present :

Shri Bharat Ram with Shri Tek Chand.

No one for the management.

## AWARD

By Order No. ID/HSR/74/78/17688, dated the 9th May, 1978, the Governor of Haryana referred the following dispute between M/s. Haryana Iron and Steel Rolling Mills, Hissar and its workman Shri Bharat Ram to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Bharat Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of order of reference, notices were issued to the parties. The workman appeared but the management did not appear despite service by affixation of notice through process service Agency. Service was sufficient. The management was proceeded against *ex parte*. The case was fixed for the evidence of the workman. The workman examined himself as MW-1 and stated that he was employed with the management as Tongsman since 1976 at Rs 360 per mensem at the time of illegal termination on 1st September, 1978. No enquiry was conducted and no show cause notice was given to him. He also produced another witness Shri Mahabir Singh as WW-2 who is also an employee of the Respondent Management, who stated that he knew the workman Shri Bharat Ram since about two years and he was working as Tongsman with the management.

In view of the *ex parte* evidence produced before me I have no alternative but to believe the evidence produced by the workman and answer the reference and give my award that the termination of service of the workman was not justified and in order. The workman is entitled to re-instatement with continuity of service and with full back wages.

Dated the 21st July, 1979.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Endst. No. 2027, dated the 23rd August, 1979

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 11(112)-79-3Lab/10271.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947,) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the Management of M/s Haryana Iron and Steel Rolling Mills, Hissar.

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 150 of 1978

between

SHRI MEGH RAJ WORKMAN AND THE MANAGEMENT OF M/S HARYANA IRON  
AND STEEL ROLLING MILLS, HISSAR

Present :

Shri Megh Raj along with Shri Tek Chand.

No one for the management.

#### AWARD

By order No. ID/HSR/7-N-78/31627, dated 11th July, 1978, the Governor of Haryana referred the following dispute between M/s Haryana Iron and Steel Rolling Mills, Hissar and its workman Shri Megh Raj to this Court, for adjudication, in exercise of powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of service of Shri Megh Raj was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties. The workman appeared but the management did not appear despite of service by affixation of notice through process service Agency. Service was sufficient. The management was proceeded against *ex parte*. The case was fixed for the evidence of the workman. The workman examined himself as WW-1 and stated that he was employed with the management as Tongsman since January, 1976 at Rs 360 per month, at the time of illegal termination on 9th January, 1978. No enquiry was conducted and no show cause notice was given to him. He also produced another witness Sri Mahabir Singh as W.W.-2 who is also an employee of the respondent management, who stated that he knew the workman Shri Megh Raj since about two years and he was working as Tongsman with the management.

In view of the *ex parte* evidence produced by the workman before me I have no alternative but to believe and give my award that the termination of service of the workman was not justified and in order. The workman is entitled to re-instatement with continuity of service and with full back wages.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Dated 21st July, 1979.

Endst. No. 2028, dated 23rd August, 1979.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana, Rohtak.

No. 11(112)-79-3-Lab-/10395.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak in respect of the dispute between the workman and the management of M/s. Hindustan Pottery Industries, Bahadurgarh :—

BEFORE SHRI BABU RAM GOYAL, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 162 of 1977

SHRI RAJ DEV, WORKMAN AND THE MANAGEMENT OF M/S HINDUSTAN POTTERY  
INDUSTRIES, BAHADURGARH.

*Present.—*

Shri Dhan Singh, for the workman.

Shri S. K. Goswami, for the management.

**AWARD**

By order No. ID/RK/456-77/50991, dated the 12th December, 1977, the Governor of Haryana referred the following dispute between the management of M/s Hindustan Pottery Industries, Bahadurgarh and the workman Shri Raj Dev to this Court, for adjudication in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of service of Shri Raj Dev was justified and in order? If not, to what relief is he entitled?

On receipt of order of reference, notices were issued to the parties and the workman filed his claim statement. The management obtained adjournments for filing their written statement. On 6th December, 1978 the management produced a letter allegedly thumb-marked by the workman stating that he was not interested in contesting the case pending before the Labour Court, Haryana, Rohtak in Reference No. 162 of 1977 and wanted to withdraw the case. The management was directed to produce the workman on 10th January, 1979 for admission of the letter. On 10th January, 1979 the proceedings on file in this case shows :—

*Present.—*

Shri Rajdev workman in person.

Shri S. K. Goswami for the management.

The workman admits full and final settlement and no dispute with the management and admits execution of his letter mark 'A' The letter is now exhibited as Ex M-1. No dispute remains. Award shall be given.

These proceedings were not signed by my learned Predecessor. When this file came up before me on 19th June, 1979 and I fixed the case for further proceedings for 17th August, 1979. On 17th August, 1979 Shri Dhan Singh appeared for the workman and Shri S.K. Goswami for the management and Shri Dhan Singh stated that in view of the statement of the workman dated 10th January, 1979 the representative of the workman did not want to say any thing.

Under these circumstances I answer this reference and give no-dispute award.

BABU RAM GOYAL,

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

Dated 21st August, 1979.

Endst. No. 2075, dated the 27th August, 1979.

Forwarded (four copies) to the Secretary, to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BABU RAM GOYAL,  
Presiding Officer,  
Labour Court, Haryana.  
Rohtak.

No. 11(112)79-3Lab/10446.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s B.T. Refractories, National Highway, Jaipur Road, Gurgaon :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 529 of 1978

between

SHRI MAM CHAND, WORKMAN AND THE MANAGEMENT OF M/S B.T. REFRATORIES,  
NATIONAL HIGHWAY, JAIPUR ROAD, GURGAON

Present.—Shri S. K. Yadav for the workman.

Shri N. K. Kapoor, for the management.

#### AWARD

By order No. ID/GG/76-78/52046, dated 22nd November, 1978 the Governor of Haryana referred the following dispute between the management of M/s. B.T. Refractories, National Highway, Jaipur Road, Gurgaon and its workman Shri Mam Chand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Mam Chand was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared. They filed pleadings. On the pleadings of the parties, following issues were framed on 3rd March, 1979 :—

1. Whether the workman was a probationer ? If so, to what effect ?
2. Whether the termination of services of the workman was justified and in order ?
3. If not, to what relief is he entitled ?

And the case was fixed for the evidence of the management. The management obtained an adjournment for adducing their evidence which was granted and the case was fixed for 11th June, 1979 for the evidence of the management. On 11th June, 1979 the management did not appear hence *ex parte* proceedings against them were ordered and the case was fixed for *ex parte* evidence of the workman. The workman examined himself as his own witness and stated that he was working as a Chaukidar at Rs. 165 as wages per month and the management terminated his services on 7th July, 1978 without any cause or justification and he was unemployed since then. I believe in the *ex parte* evidence of the workman and give my award that the termination of services of the workman was neither justified nor in order. He is entitled to reinstatement with continuity of service and with full back wages.

Dated the 23rd August, 1979.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 796, dated the 29th August, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.